

## **REMARKS**

Claims 2-6, 10-19, 23, and 29-30 have been cancelled. Claims 1, 7-9, 22, and 24-26 have been amended to clarify the subject matter regarded as the invention. New claims 31 and 32 have been added. Claims 1, 7-9, 20-22, 24-28, and 31-32 are pending.

The Examiner has rejected claims 1, 7-9, 20-22, and 24-28 under 35 U.S.C. §103(a) as being unpatentable over Want et al (U.S. Patent 6,008,727) in view of Armstrong (U.S. Patent 5,461,385) in view of Werb (U.S. Patent 6,843,427) and in further view of Watters et al (U.S. Patent 6,806,808).

The rejection is respectfully traversed. Claims 1 and 22 have been amended to recite outputting “upon polling at a time when the transponder is in the second active state a sensory-perceptible output indicating that the transponder has been exposed to the environmental condition.” The specification provides support for the amendments to claims 1 and 22, including without limitation in the first full paragraph on page 22.


None of the references, neither individually, nor in conjunction, teach outputting “upon polling at a time when the transponder is in the second active state a sensory-perceptible output indicating that the transponder has been exposed to the environmental condition” as recited in amended claims 1 and 22. While Want describes providing “user feedback,” that feedback is used to indicate that “the electronic tag is actively transmitting to the electronic tag reader.” (Col. 8, lines 20-37; see also col. 2, lines 50-55 (“while simultaneously providing user feedback to confirm the reading of the tag”) and col. 12, lines 1-5 (“When it has read a valid tag, a simple audible alert or flashing an LED can also be used to give a simple audio or visual indication of the tag reading process.”)) It is therefore believed that claims 1 and 22 are allowable.

Claims 7-9, 20-21, and 31 depend from claim 1 and are believed to be allowable for the same reasons described above. Similarly, claims 24-28 and 32 depend from claim 22 and are believed to be allowable for the same reasons described above.

Reconsideration of the application and allowance of all claims are respectfully requested based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

Respectfully submitted,

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